

REMARKS

In the outstanding Final Official Action, the disclosure was objected to as informal because the specification referred to the claims. In response, the specification is herewith amended to remove such references, and it is respectfully submitted that the amended disclosure is now in proper form. Additionally, a new abstract is presented herewith in order to delete various informalities present in the originally-filed abstract.

On the merits, claim 1 was rejected under 35 USC 102(b) as being anticipated by Kobrin et al, with claims 1-4 being rejected under 35 USC 103(a) as being unpatentable over Tom in view of Kobrin, all for the reasons of record. In response, independent claim 1 is herewith amended in order to more particularly and precisely recite the novel and unobvious features of the instant invention, and it is respectfully submitted that claim 1, as herewith amended and the remaining claims depending therefrom, are now clearly patentably distinguishable over the cited and applied references for the reasons detailed below.

More particularly, amended claim 1 now more specifically recites first and second resonator electrodes, and a sensing layer at least partly covering the first and second resonator electrodes, with the first and second resonator electrodes being placed on the

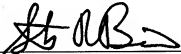
same side of the piezoelectric layer. It is respectfully submitted that such a structure is neither shown nor suggested in the cited and applied references.

On the contrary, the sensing layer (6) in the cited figure 3 of Kobrin is clearly shown as covering only one electrode (14) but not a second, and the sensing layer 212 in Tom is clearly spaced apart from both sets of interdigital electrodes and covers neither. Thus, neither reference shows or suggests a sensing layer which at least partly covers first and second resonator electrodes, as clearly disclosed on page 4, lines 9-10 of the instant specification and as clearly shown in Fig. 2 thereof. Furthermore, in Kobrin, the only reference in which a sensing layer covers even one electrode, the second resonator electrode, designated in Kobrin as bottom electrode 18, is clearly shown in Fig. 3 as being on the opposite side of the piezoelectric layer 16. In this regard, it is noted that electrode 32 in Kobrin, cited as being the second electrode in the Action, is not in fact a second resonator electrode, but rather, as clearly described in the specification, is a signal coupling electrode apart from the two resonator electrodes which are in fact placed on opposite sides of the piezoelectric layer.

In view of the foregoing amendments and remarks, it is respectfully submitted that the currently-pending claims, as herein amended to more particularly and precisely recite the distinguishing features of the present invention, are clearly patentably distinguishable over the cited and applied references. Additionally, it is respectfully submitted that the amended disclosure and abstract are now in proper form. Accordingly, entry of this amendment, reconsideration of the rejections of the claims and allowance of this application are earnestly solicited at this time.

Respectfully submitted,

By


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